

REPLY, dated February 4, 2004
Serial No. 09/223,972

REMARKS

Reconsideration of the rejections set forth in the Office Action dated November 4, 2003 is respectfully requested in view of the following arguments. Currently, claims 1-16 are pending in this application.

Rejection under 35 U.S.C. 103

Claims 1-16 were rejected under 35 U.S.C. 103 as unpatentable over Shah (U.S. Patent No. 6,041,325) in view of Henderson (U.S. Patent No. 5,726,979). This rejection is respectfully traversed in view of the following arguments.

This application relates to method and apparatus for providing media and telephony services in a telecommunications network. As discussed in greater detail in the application, a media service 120 and a telephony service 130 provide interfaces to media and telephony objects that may be located anywhere on network 100. (page 4, lines 2-3). Applications 140 coupled to the network invoke methods on the media service 120 and/or telephony service 130 to access these resources. (page 4, lines 17-18).

Shah discloses a service management system 12 that may be used to define services on a communication network. Essentially, the service management system 12 allows network operators to create new telephony services such as 800 services and make those services available on an intelligent network.

Fig. 1 of Shah illustrates the service management system as being connected to several elements in the telecommunication system. Specifically, the service management system is connected to a data storage device 14 which acts as a master database for the system (Col. 6, lines 45-46), a service management access point 30 which may be used to define services for sale

REPLY, dated February 4, 2004
Serial No. 09/223,972

to customers (Col. 8, lines 14-23) and which provides interfaces for users accessing the service management system (Col. 11, lines 5-12), a network operator and service creation environment 26 that is used to create service definitions (Col. 8, lines 38-43), and service control points 16 that are used to instruct service transfer points how to direct particular telephone calls (Col. 7, lines 7-9). Shah continues at Col. 7, lines 30-41, to describe what the service management system 12 does not do:

Service management system 12 generally does not actively participate in the operational aspects of a service, but rather operates as a central source of the data needed by service control point 16 to perform the service. Data is downloaded to the service control point, which has an operational database to enable service features according to subscription data. Service management system 12 thus acts as a master database for providing data to service control point 16, and includes a service management program to manage provisioning of services, including management of telephony data to support the service, to service control point 16.

Thus, in Shah, the service management system is used to define services, those definitions are passed to the service control points, and the service control points provide the telephony services to end users.

Claim 1 recites "an interface to a data network. The Examiner has taken the position that Shah teaches an interface to a data network for communicating with a client. Specifically, the Examiner has stated that "Service Management Access Point (Web Server) 30" (citing Fig. 6) is an interface to the data network. Since the service management access point web server 30 only communicates with the browser 60, and CGI bin 62, presumably the browser 60 is the "client."

Claim 1 further recites "an interface to a computer telephony resource providing a computer telephony service." The Examiner has taken the position that Shah teaches this limitation, citing element 16 of Fig. 1. In Shah, element 16 of Fig. 1 is a service control point that interfaces through the advanced intelligent network with one or more signal transfer points 20 to manage the network activity. (Col. 6, lines 55-67).

REPLY, dated February 4, 2004
Serial No. 09/223,972

Claim 1 further recites "means for receiving a first request from a client application... containing an object-oriented, language independent, second request for access to the computer telephony resource." The Examiner has taken the position that Shah teaches a CORBA middleware for receiving the request from the client for accessing the resources including configuring, verifying and provisioning the resources. Citing Col. 6, lines 51-54. Applicants respectfully disagree.

While it is true that Shah states at Col. 6, lines 51-54, that the service management system 12 can be a SPARC workstation produced by Sun and adapted to operate with common object request broker architecture ("CORBA"), Shah does not mention whether that CORBA bus may be used to "configure," "verify," and "provision" the resources as asserted by the Examiner. Indeed, Shah doesn't say what it is used for other than to say that it is used.

Additionally, the client "60" in Shah cannot use the CORBA bus in the service management system to submit a "request for access to the computer telephony resource" as claimed in claim 1. Rather, the client (browser 60) may access the service management system 12 via screens provided by the service management access point 30, to define services that may then be provided to the telephone users. Specifically, Shah states at Col. 11, lines 9-23:

Service management access point 30 acts as a gateway to enable, manage, and control access to service management system 12 and the telephony database 14 associated with service management system 12. Service management access point 30 presents data operators or other users with Internet browser screens based on the user's access level to provide: the ability to provision services; the ability to create, modify, and delete service providers; the ability to represent service features as graphical icons; the ability to graphically represent selectable sets of service features; the ability to generate and provision a service subscriber specific service script which details service features commissioned by a subscriber; and the ability to generate reports based on the user's level of access.

Conspicuously absent from this list is the ability of the "client 60" to submit a request on the CORBA bus for access to the "computer telephony resource 16" as required by claim 1.

REPLY, dated February 4, 2004
Serial No. 09/223,972

Specifically, in Shah, the client 16, through web browser screens provided by the service management access point 30, is allowed to modify entries in the database 14 associated with the service management system 12, but is not allowed to have access to the telephony resources 16 that are configured to provide telephony services on the network. Shah specifically states that the service management access point 30 "acts as a gateway to enable, manage, and control access to service management system 12 and the telephony database 14 associated with the service management system 12." (Col. 11, lines 9-13). Shah does not teach or suggest, however, that the client should be able to submit a request for access to the computer telephony resource on the CORBA bus.

The Examiner has taken the position that Shah teaches "CORBA middleware for receiving a request from the client for accessing the resource including configuring, verifying and provisioning the resource" citing col. 6, lines 51-54. For convenience, this portion of Shah is repeated below verbatim:

For instance, service management system 12 can be a SPARC workstation produced by Sun and adapted to operate with common object request broker architecture ("CORBA").

This portion of Shah, thus, merely mentions that a CORBA architecture may be used. It does not indicate what it is used for or how it is to be used. Further, it does not state that the client can access the resource to configure, verify, or provision the resource as asserted by the Examiner. While Shah does state at a later point (see Col. 7, lines 36-40) that the service management system can include a service management program to manage provisioning of services to service control point 16, Shah still does not teach or suggest that the Client 60 should be able to use the CORBA architecture to obtain access to the service control point.

REPLY, dated February 4, 2004
Serial No. 09/223,972

The Examiner acknowledges that the Shah does not disclose the adaptation of CORBA in the server in details. However, the Examiner has taken the position that "Henderson teaches a CORBA compliant server including an ORB distributed bus configured to decode an object-oriented, language independent client request into a network specific request (objects) for directing to a network entity." The fact that Henderson may teach details about a CORBA bus in a telecommunication network does not make up the deficiencies noted above in Shah. Specifically, the combination of Henderson and Shah wouldn't teach the use of a CORBA bus as a means for receiving a first request from a client application... containing ...[a] second request for access to the computer telephony resource" as claimed in claim 1. Accordingly, applicants respectfully submit that claim 1 is not obvious in view of Shaw and Henderson.

Independent claim 12 recites a method including the step of receiving a first request from a client application, the first request containing an object-oriented, language independent second request for access to the computer telephony resource. For the reasons set forth above, the combination of Shah and Henderson fails to teach this aspect of claim 1.

Independent claim 14 recites a system for providing telephony services in a telecommunications network, comprising a server having a services interface, said server being configured to provide at least one of media services and telephony services to a client application; and a distributed software bus configured to interface the client application to the server over a network. The server in Shah is not configured to provide telephony services to the client application but rather is configured to serve as an interface to a database that may be used to define telecommunication services on the network. The telephony services are then provided to customers on the network by the service control point, not to the client. Accordingly, Shah

REPLY, dated February 4, 2004
Serial No. 09/223,972

does not teach a system that may be considered analogous to Shah and, hence, claim 14 would not have been obvious over the combination of Shah and Henderson.

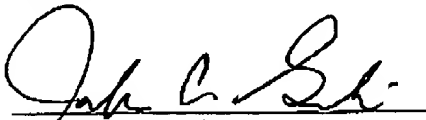
Additionally, claim 14 recites that the distributed software bus is configured to be used by the client application by issuing a first request on the network, said first request containing an object-oriented, language independent, second request for the provision of services by the server. Since the server in Shah does not provide telephony services to the client, this limitation of claim 14 is also not met by the combination of Shah and Henderson.

Conclusion

In view of foregoing claim amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and an action to this effect is respectfully requested. If there are any questions or concerns regarding the amendments or these remarks, the Examiner is requested to telephone the undersigned at the telephone number listed below.

If any fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-HU0125).

Respectfully Submitted


John C. Gorecki
Registration No. 38,471

Dated: February 4, 2004

John C. Gorecki, Esq.
Patent Attorney
165 Harvard St.
Newton, MA 02460
Tel: (617) 796-9024
Fax: (617) 795-0888